

AMENDED IN ASSEMBLY MARCH 26, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 691

Introduced by Assembly Member Gilmore

February 26, 2009

An act to ~~amend Section 42238.1 of~~ *add Section 37710.3 to the Education Code, relating to* ~~education finance~~ *school districts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 691, as amended, Gilmore. ~~Education finance: inflation adjustment.~~ *School districts: 4-day school week.*

Existing law authorizes the Pacific Unified School District, the Leggett Valley Unified School District, the Reeds Creek Elementary School District, the Potter Valley Community Unified School District, the Borrego Springs Unified School District, the Julian Union Elementary School District, the Julian Union High School District, and the Warner Unified School District to operate one or more schools in their districts on a 4-day school week, so long as those school districts comply with specified requirements, including the annual provision of at least 560 hours of instructional time for kindergarten, 700 hours of instructional time for grades 1, 2, and 3, and 845 hours of instructional time for grades 4 to 8, inclusive.

This bill would extend the authority to operate one or more schools on a 4-day week and apply those minimum annual instructional time requirements to the Alpaugh Unified School District, beginning in the 2010–11 fiscal year.

This bill would declare that, due to the unique circumstances applicable to the Alpaugh Unified School District, a general statute cannot be made applicable within the meaning of Section 16 of Article

IV of the California Constitution, and the enactment of a special statute is therefore necessary.

~~Existing law requires the county superintendent of schools to determine a revenue limit for each school district in the county pursuant to a specified formula that is based on the base revenue limit of the school district for the prior year, adjusted for inflation, and the average daily attendance for the school district, as specified.~~

~~This bill would make various technical, nonsubstantive changes in the statute that sets forth the procedures for the calculation by the Superintendent of Public Instruction of the annual inflation adjustment for school districts.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 37710.3 is added to the Education Code,
2 to read:

3 37710.3. Beginning in the 2010–11 fiscal year, the Alpaugh
4 Unified School District may operate one or more schools in the
5 school district on a four-day school week if the district complies
6 with the instructional time requirements in Section 37701 and the
7 other requirements of this chapter.

8 SEC. 2. The Legislature finds and declares that, due to the
9 unique circumstances applicable to the Alpaugh Unified School
10 District, a general law cannot be made applicable within the
11 meaning of Section 16 of Article IV of the California Constitution,
12 and the enactment of a special law is therefore necessary.

13 ~~SECTION 1. Section 42238.1 of the Education Code is~~
14 ~~amended to read:~~

15 ~~42238.1. (a) For the 1986–87 fiscal year, and each subsequent~~
16 ~~fiscal year up to and including the 1998–99 fiscal year, the~~
17 ~~Superintendent shall compute an inflation adjustment equal to the~~
18 ~~product of paragraphs (1) and (2):~~

19 ~~(1) Compute the sum of the following:~~

20 ~~(A) The statewide average base revenue limit per unit of average~~
21 ~~daily attendance for the prior fiscal year for districts of similar~~
22 ~~type.~~

23 ~~(B) The amount, if any, per unit of average daily attendance~~
24 ~~received by the district pursuant to Article 8 (commencing with~~

1 Section 46200) of Chapter 2 of Part 26 of Division 4 for the prior
2 fiscal year.

3 ~~(2) The percentage change in the annual average value of the~~
4 ~~Implicit Price Deflator for State and Local Government Purchases~~
5 ~~of Goods and Services for the United States, as published by the~~
6 ~~United States Department of Commerce for the 12-month period~~
7 ~~ending in the third quarter of the prior fiscal year. This percentage~~
8 ~~change shall be determined using the latest data available as of~~
9 ~~May 1 of the preceding fiscal year compared with the annual~~
10 ~~average value of the same deflator for the 12-month period ending~~
11 ~~in the third quarter of the second preceding fiscal year, using the~~
12 ~~latest data available as of May 1 of the second preceding fiscal~~
13 ~~year, as reported by the Department of Finance.~~

14 ~~(b) For the 1999–2000 fiscal year and each fiscal year thereafter,~~
15 ~~the Superintendent shall compute an inflation adjustment equal to~~
16 ~~the product of paragraphs (1) and (2):~~

17 ~~(1) Compute the sum of the following:~~

18 ~~(A) The statewide average base revenue limit per unit of average~~
19 ~~daily attendance for the prior fiscal year for districts of similar~~
20 ~~type.~~

21 ~~(B) The amount, if any, per unit of average daily attendance~~
22 ~~received by the district pursuant to Article 8 (commencing with~~
23 ~~Section 46200) of Chapter 2 of Part 26 of Division 4 for the prior~~
24 ~~fiscal year.~~

25 ~~(2) The percentage change in the annual average value of the~~
26 ~~Implicit Price Deflator for State and Local Government Purchases~~
27 ~~of Goods and Services for the United States, as published by the~~
28 ~~United States Department of Commerce for the 12-month period~~
29 ~~ending in the third quarter of the prior fiscal year. This percentage~~
30 ~~change shall be determined using the latest data available as of~~
31 ~~May 10 of the preceding fiscal year compared with the annual~~
32 ~~average value of the same deflator for the 12-month period ending~~
33 ~~in the third quarter of the second preceding fiscal year, using the~~
34 ~~latest data available as of May 10 of the preceding fiscal year, as~~
35 ~~reported by the Department of Finance.~~

36 ~~(c) This section shall become operative July 1, 1986.~~